

Exhibit “A”

STATE OF SOUTH CAROLINA

COUNTY OF ANDERSON

Lee Andrew Jackson,

Plaintiff,

vs.

Gilsimar Souza, and Gil Souza
Trans Corp.,

Defendants.

) IN THE COURT OF COMMON PLEAS
) FOR THE TENTH JUDICIAL CIRCUIT

) CIVIL ACTION NO.:

SUMMONS
(Personal injury)
(Jury trial demanded)

TO: THE ABOVE NAMED DEFENDANTS, GILSIMAR SOUZA AND GIL
SOUZA TRANS CORP.:

YOU ARE HEREBY SUMMONED and required to answer the complaint in this
action, a copy of which is herewith served upon you, upon the subscriber at his offices at
301 Gibson Road, Lexington, South Carolina, within thirty (30) days of the service
hereof, and if you fail to answer the complaint within the time aforesaid, judgment by
default will be rendered against you for the relief demanded in the complaint.

THE RICK HALL LAW FIRM, LLC

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Lexington, S.C.
January 11, 2021

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF ANDERSON)	FOR THE TENTH JUDICIAL CIRCUIT
Lee Andrew Jackson,)	CIVIL ACTION NO.:
)	
Plaintiff,)	
)	COMPLAINT
vs.)	(Personal injury)
)	(Jury trial demanded)
Gilsimar Souza, and Gil Souza)	
Trans Corp.,)	
)	
Defendants.)	

Now comes the Plaintiff, Lee Andrew Jackson, complaining of the Defendants above named, and would respectfully show unto the Court as follows:

**FOR A FIRST CAUSE OF ACTION
(As to Gilsimar Souza and Gil Souza Trans Corp)**

1. The Plaintiff, Lee Andrew Jackson is a citizen and a resident of Orange Lake, Florida.
2. That the Defendant, Gil Souza Trans Corp., is a Corporation or statutory entity organized and existing under and pursuant to the laws of one of the states of the United States with its principal place of business in New Jersey.
3. That the Defendant Gilsimar Souza (Souza) is the principle owner and operator of Gil Souza Tans Corp. and was also the operator and driver of one of the vehicles involved in the collision in this case which occurred in Anderson County on or near property located in West Pelzer, South Carolina and specifically at Pilot Truck Stop.
4. That at all times mentioned, the Defendant Souza was acting as an agent and servant of the Defendant, Gil Souza Trans Corp (GSTC). That the most substantial part of the alleged negligent acts or omissions giving rise to this cause of action occurred

in Anderson County, South Carolina on at the Pilot Truck Stop. Therefore, venue lies in Anderson County, South Carolina and within the Court of Common Pleas for Anderson County.

5. That on or about January 23, 2018 the Defendant Souza, while driving and operating a tractor-trailer owned by GSTC, drove into the Plaintiff's tractor-trailer which was stopped at the Pilot Truck Stop in West Pelzer, S. C., while the Plaintiff was in line waiting to get fuel. The Defendant Souza's vehicle and trailer struck the Plaintiff's vehicle with great force, causing the Plaintiff to suffer significant injuries.

6. That at the time of the collision, the Plaintiff was lawfully stopped in his vehicle when the collision occurred and was violently and suddenly shaken when the collision occurred.

7. That the Defendant GSTC is liable pursuant to the doctrine of *respondeat superior* for all of the acts of negligence herein specified against the Defendant Souza, the driver of one 2001 Freight Liner tractor-trailer VIN No. FVHAHCG11LG33975 which was owned and operated, upon information and belief by GSTC.

8. The Defendant Souza was, at all times acting within the course and scope of his employment as the driver/ and or owner operator of the GSTC vehicle, and was willful, wanton, negligent and grossly negligent in one or more of the following particulars:

- a. in driving his vehicle too fast for conditions;
- b. in driving in following too closely behind the Plaintiff's vehicle;
- c. in failing to apply his brakes in a timely manner;
- d. in failing to observe and keep a proper lookout;
- e. in traveling at an excessive rate of speed;
- f. in failing to avoid the accident;

g. in driving and/or operating a tractor-trailer in violation of the federal motor carrier safety regulations (FMCSR(s));

h. in such other and further particulars as may be revealed during the course and scope of discovery,

all of which proximately caused the Plaintiff's injuries and damages sustained herein.

9. That as a direct and proximate result of the collision, the Plaintiff suffered significant, permanent bodily injury to his back and neck, and other parts of his body; has incurred medical expenses and will incur medical expenses in the future.

10. Plaintiff has, furthermore, endured significant pain, suffering, mental anguish and emotional distress, as well as suffered a loss of income, past, present and future.

WHEREFORE, having fully set forth his complaint herein, the Plaintiff prays that he be granted judgment against the Defendants for actual and punitive damages in an amount to be determined by a jury, and for the costs of this action.

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January 11, 2021